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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/589,795	06/08/2000	Richard Louis Arndt	AUS9-2000-0220-US1	9725
35525	7590	05/06/2004	EXAMINER	
DUKE W. YEE CARSTENS, YEE & CAHOON, L.L.P. P.O. BOX 802334 DALLAS, TX 75380			VO, LILIAN	
			ART UNIT	PAPER NUMBER
			2127	

DATE MAILED: 05/06/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

PR24

<b>Office Action Summary</b>	<b>Application No.</b> 09/589,795	<b>Applicant(s)</b> ARNDT, RICHARD LOUIS	
	<b>Examiner</b> Lilian Vo	<b>Art Unit</b> 2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1 – 19 are pending.

#### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 - 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Onodera (US 5,684,974).

4. Regarding **claim 1**, Onodera discloses a method for mediating address translation in a logically partitioned data processing system having a set of logical partitions with an operating system assigned to each logical partition within the set of logical partitions (col. 1, lines 6 – 40, figs. 3a, 3b and 4), the method comprising:

associating a different contiguous range of virtual address pages of virtual addresses with each one of said set of logical partitions (col. 1, lines 6 – 40, col. 2, lines 44 – 51, col. 4, lines 31 – 46, col. 7, lines 19 – 29, 37 – 41, 50 – col. 8, lines 14, figs. 3a, 3b);

assigning a noncontiguous group of page frames of real memory addresses to each one of said different contiguous range of virtual address pages, each one of said set of logical partitions being assigned a different noncontiguous group of page frames (col. 4, lines 31 – 6, col. 7, lines 19 – 30, 37 – 41, 51 – col. 8, lines 14, lines 22 – 38, figs. 4, 5 and 7);

receiving from an operating system within a logical partition from the set of logical partitions a request to access a physical resource (col. 7, lines 25 – 29, 37 – 41, col. 8, lines 22 – 52, figs. 5 and 7);

responsive to a determination that the physical resource has been allocated to the logical partition, selectively modifying an address translation table to allow access to the physical resource by the operating system (col. 7, lines 25 – 29, 37 – 41, col. 8, lines 22 – 52, figs. 5 and 7).

5. Regarding **claim 2**, Onodera discloses the method as recited in claim 1, further comprising:

responsive to a determination that the physical resource is allocated to a different logical partition in the set of logical partitions, refraining from modifying the address translation table (abstract, col. 5, line 64 – col. 6, line 20).

6. Regarding **claim 3**, Onodera discloses the method as recited in claim 2, further comprising:

sending a message to the operating system indicating that the request is denied (col. 5, line 64 – col. 6, line 20, lines 46 - 64).

7. Regarding **claim 4**, Onodear discloses the method as recited in claim 1, wherein the address translation table comprises a table of virtual addresses with corresponding physical addresses, wherein the virtual addresses are addresses utilized by the operating system and the physical addresses are addresses corresponding to the physical location of resources within the logically partitioned data processing system (col. 1, lines 6 – 40, col. 4, lines 31 – 46, figs 3a, 3b, 4, 5 and 7).

8. Regarding **claim 5**, Onodera discloses the method as recited in claim 4, wherein the physical addresses are allocated to various ones of multiple logical partitions in a disjoint fashion (col. 4, lines 31 – 46, col. 7, lines 51 – 56, col. 8k lines 28 – 38, figs. 3a, 3b and 4).

9. Regarding **claim 6**, Onodera discloses the method as recited in claim 4, wherein consecutive virtual addresses need not correspond to consecutive physical addresses (col. 4, lines 31 – 46, col. 7, lines 51 – 56, col. 8k lines 28 – 38, figs. 3a, 3b and 4).

10. **Claims 7 – 19** are rejected on the same ground as stated above.

***Response to Arguments***

11. Applicant's arguments with respect to claims 1, 7, 13 and 19 have been considered but are moot in view of the new ground(s) of rejection as set forth above.

***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kajita (US 6,469,799) and Behrbaum et al. (US 2002/0105523) disclosed the assigning of logical partitions to different noncontiguous blocks of real memory address.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lilian Vo whose telephone number is 703-305-7864. The examiner can normally be reached on Monday - Thursday, 7:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lilian Vo  
Examiner  
Art Unit 2127

lv  
April 22, 2004

  
MENG-AL T. AN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100